

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VNUS MEDICAL TECHNOLOGIES, INC.

No. C-05-2972 MMC

Plaintiff

**ORDER GRANTING DEFENDANTS'  
MOTION IN LIMINE NO. 1**

v.

DIOMED HOLDINGS, INC., et al.,


Defendants

Before the Court is "Defendants' Joint Motion in Limine No. 1," filed October 1, 2007, by which defendants seek to preclude plaintiff from offering the following three prior art references to establish the patents at issue herein are enabled: (1) "The Use of Argon Laser in the Treatment of Idiopathic Varices in the Lower Limbs," by A. Mazza et al.; (2) "Application of the ND-YAG Laser in the Treatment of Varicose Syndrome," by B. Puglisi et al.; and (3) "Endoluminal Treatment of Vericosities: A Preliminary Study," by Dr. Carlos Bone Salat. Plaintiff has filed opposition thereto. The matter was argued at the Pretrial Conference conducted October 16, 2007.

Having considered the parties' submissions in support of and in opposition to the motion, and the arguments of counsel made at the Pretrial Conference, the Court, for the reasons stated by defendants at the Pretrial Conference, hereby GRANTS the motion

**IT IS SO ORDERED.**

Dated: October 22, 2007

  
MAXINE M. CHESNEY  
United States District Judge